

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **C & G Development Company LLC v Thomas Alward**
Docket No. **258126**
L.C. No. **03-007938-CZ (consolidated with 01-007801-CK)**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal and any claims of cross appeal are **DISMISSED** for lack of jurisdiction because a final order as defined by MCR 7.202(6)(a)(i) has not been entered yet. A review of the lower court record shows that no order has been entered that disposes of defendants Thomas Deakin and Deakin Enterprises Inc. A default was entered against those parties but no subsequent default judgment that determined the amount of damages owed by that parties was entered. See MCR 2.604(A) and 7.202(6)(a)(i). As a result, any appeal at this time must occur by filing a delayed application for leave to appeal under MCR 7.205.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN - 5 2005

Date

Sandra Schultz Mengel
Chief Clerk